

UNITED STATES DISTRICT COURT
Western District of North Carolina

UNITED STATES OF AMERICA

V.

Joseph Catone Jr.

Filed Date of Original Judgment: 9/6/2013
(Or Filed Date of Last Amended Judgment)

) **AMENDED JUDGMENT IN A CRIMINAL CASE**
) (For Offenses Committed On or After November 1, 1987)
)
)
) Case Number: DNCW511CR00030-001
) USM Number: 26453-058
)
) Kevin Tate
) Defendant's Attorney

Reason for Amendment:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Correction of Sentence on Remand (18 U.S.C. § 3742(f)(1) and (2)) | <input type="checkbox"/> Modification of Supervision Conditions (18 U.S.C. §§ 3563(c) or 3583(e)) |
| <input type="checkbox"/> Reduction of Sentence for Changed Circumstances (Fed. R. Crim. P. 35(b)) | <input type="checkbox"/> Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1)) |
| <input type="checkbox"/> Correction of Sentence by Sentencing Court (Fed. R. Crim. P. 35(a)) | <input type="checkbox"/> Modification of Imposed Term of Imprisonment for Retroactive Amendment(s) to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2)) |
| <input type="checkbox"/> Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36) | <input type="checkbox"/> Direct Motion to District Court Pursuant <input type="checkbox"/> 28 U.S.C. § 2255 Or <input type="checkbox"/> 18 U.S.C. § 3559(c)(7) |
| | <input type="checkbox"/> Modification of Restitution Order 18 U.S.C. § 3664 |

THE DEFENDANT:

- ☐ Pleaded guilty to count(s).
- ☐ Pleaded nolo contendere to count(s)_which was accepted by the court.
- ☒ Was found guilty on count(s) 1 after a plea of not guilty.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

| Title and Section | Nature of Offense | Date Offense Concluded | Counts |
|-------------------|---|------------------------|--------|
| 18:1920 | Fraud to gain federal employee compensation | 4/7/08 | 1 |

The Defendant is sentenced as provided in pages 2 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984, United States v. Booker, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a).

- ☒ The defendant has been found not guilty on count(s) 2 & 3.
- ☐ Count(s) (is)(are) dismissed on the motion of the United States.

IT IS ORDERED that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: 12/3/2014

Signed: December 5, 2014



Richard L. Voorhees
United States District Judge



IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of TIME SERVED IN LIEU OF THE EARLIER SENTENCE.

NO SUPERVISED RELEASE TERM. ANY PROVISIONS OF THE EARLIER JUDGMENT THAT ARE EXECUTED REMAIN, BUT ANY OF THOSE THAT ARE EXECUTORY ARE NOT REIMPOSED.

ASSESSMENT FEE OF \$25.00 HAS BEEN PAID. THE BUREAU OF PRISONS SHALL REFUND THE DEFENDANT IN THE AMOUNT OF \$125.00 THAT DEFENDANT PAID WHILE INCARCERATED THROUGH THE INMATE FINANCIAL RESPONSIBILITY PROGRAM. THE ORDER OF RESTITUTION IMPOSED IN THE EARLIER JUDGMENT WAS VACATED. NO ORDER OF RESTITUTION IS REIMPOSED IN THIS AMENDED JUDGMENT.

- ☐ The Court makes the following recommendations to the Bureau of Prisons:
- ☐ The Defendant is remanded to the custody of the United States Marshal.
- ☐ The Defendant shall surrender to the United States Marshal for this District:
 - ☐ As notified by the United States Marshal.
 - ☐ At _ on _.
- ☐ The Defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
 - ☐ As notified by the United States Marshal.
 - ☐ Before 2 p.m. on _.
 - ☐ As notified by the Probation Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
_____, with a certified copy of this Judgment.

United States Marshal

By: _____
Deputy Marshal